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PPPATENT
Docket No.220.00040101IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	Eric T. Kool)	Group Art Unit:	1623
)		
Serial No.:	09/483,337)	Examiner:	L.E. Crane
Confirmation No.:	8254)		
)		
Filed:	January 14, 2000)		
)		
For:	<u>COMPOSITIONS AND METHODS FOR NONENZYMATIC LIGATION OF OLIGONUCLEOTIDES AND DETECTION OF GENETIC POLYMORPHISMS</u>			

AMENDMENT AND RESPONSE

Assistant Commissioner for Patents
Mail Stop RCE
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action mailed December 31, 2002, submitted herewith is a Request for Continued Examination. Please enter and consider the following remarks.

Remarks

The Office Action mailed December 31, 2002 has been received and reviewed. The pending claims are claims 44-48, 50-54, and 56-60. For the Examiner's convenience, the pending claims are listed in clean form in Appendix A. Reconsideration and withdrawal of the rejections are respectfully requested.

Rejections under 35 U.S.C. §112, Second Paragraph

The Examiner rejected claims 44-48, 50-54, and 56-60 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Specifically, the Examiner alleged that "[i]n claims 44, 50, and 56 beginning at line 4, the terms 'comprises' and 'comprising' render the

PTO/SB/30 (5/2000)

Approved for use through xx/xx/xxxx. OMB 0851-0031
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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant application
filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/483,337
Filing Date	January 14, 2000
First Named Inventor	Eric T. Kool
Group Art Unit	1623
Examiner Name	L.E. Crane
Attorney Docket Number	220.00040101

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other Petition for Extension of Time (1 pg.)

2. Miscellaneous

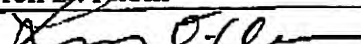
- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(f) required)
- b. ☐ Other _____

3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

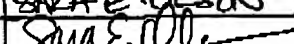
- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 13-4895
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☒ Other any other necessary fee
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Loren D. Albin	Registration No. (Attorney/Agent)	37,763
Signature		Date	June 2, 2003

CERTIFICATE OF MAILING OR TRANSMISSION

The undersigned hereby certifies that this paper is being transmitted by facsimile in accordance with 37 CFR § 1.6(d) to the Patent and Trademark Office, addressed to Assistant Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 2nd day of June, 2003, at 2:15pm (Central Time).

Name (Print/Type)	SARA E. OLSON	Date	June 2, 2003
Signature			

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Commissioner for Patents, Box RCE, Washington, DC 20231.

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For: COMPOSITIONS AND METHODS FOR NONENZYMATIC LIGATION OF OLIGONUCLEOTIDES AND DETECTION OF GENETIC POLYMORPHISMS

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GROUP 1600

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FACSIMILE TRANSMISSION TO THE PTOAssistant Commissioner for Patents
Attn: Mail Stop RCE
P.O. Box 1450
Alexandria, VA 22313-1450FAX NUMBER: 703-872-9307
Total Pages (including cover page): 14
Time: 2:15 pm (Central Time)
(Transmission must be complete by midnight eastern time.)

The following papers are being transmitted to the Patent and Trademark Office by facsimile transmission:
Petition for Extension of Time (1 pg.); Appointment of Associate Attorney (1 pg.); Request for Continued Examination (RCE) transmittal (1 pg.); Amendment and Response including Appendix A (10 pgs.)

X Small Entity Status is entitled to be asserted in the above-identified application.

**** Please charge Deposit Account 13-4895 in the amount of \$375.00 for the Request for Continued Examination fee and \$205.00 for the Petition for Extension of Time Fee.**

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 13-4895.

Mueting, Raasch & Gebhardt, P.A.
Customer Number: 26813

26813

PATENT TRADEMARK OFFICE

June 2, 2003
DateBy: [Signature]
Loren D. Albin
Reg. No. 37,763
Direct Dial (612)305-1225

CERTIFICATE UNDER 37 C.F.R. §1.8: The undersigned hereby certifies that this Facsimile Cover Sheet and the paper(s), as described hereinabove, are being transmitted by facsimile in accordance with 37 CFR §1.6(d) to the Patent and Trademark Office addressed to Assistant Commissioner for Patents, Mail Stop RCE, P.O. Box 1450, Alexandria, VA 22313-1450, on this 2 day of June, 2003, at 2:15pm (Central Time).

June 2, 2003
DateSignature: [Signature]
Name: SHARON E. OLSON

If you do not receive all pages, please contact us at (612)305-1220 (ph) or (612)305-1228 (fax).